IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 4400 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. K.K. Malpathak with Mr. V.N. Bolinjkar for Petitioner.

Mr. M.V. Limaye with Mr. R.S.Apte for R. Nos. 1 and 2.

Mr. S.D. Patil for R.No. 3.

CORAM : F.I. REBELLO &
R.M. SAVANT,JJ.
DATED : JUNE 14, 2007

P.C.

. The Petitioner has approached this court as Member of an NGO. The NGO itself is not before this court. Even if the NGO was before this court the question is whether in such circumstances, this court should exercise its extra ordinary jurisdiction.

. It appears that in the matter of discharging their duties, the Ward Officers wherever there are Municipal Council/Municipalities or local bodies in terms of the existing provisions of law have to take aid and assistance of NGO's

who are to be selected in terms of the notification issued. The grievance of the Petitioners is that they were better qualified to serve the city than the other NGOs who have been selected. The selection was done contrary to the notification issued.

. In our opinion this would not be a fit case where this court should exercise its extra ordinary jurisdiction. The participation of NGO is in the interest of providing assistance to the official discharging their statutory duties. That does not mean that this court should in such matters exercise its extra ordinary jurisdiction. Hence, Petition dismissed. Needless to say that it is always open to such NGO, like the Petitioner to approach the civil Court.

(R.M.SAVANT,J.) **(F.I. REBELLO,J.)**